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Trustees of the Tri-Counties Welfare Trust Fund  
and Professional Group Administrators, Inc.

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
AT SAN JOSE**

TRUSTEES OF THE TRI-COUNTIES  
WELFARE TRUST FUND and  
PROFESSIONAL GROUP  
ADMINISTRATORS, INC..

**Plaintiff,**

V.

BAHRAT RAKSHAK, DDS, a professional dental corporation, d/b/a RODEO DENTAL GROUP; LYNNE SIMMS, D.D.S., a professional dental corporation, d/b/a RODEO DENTAL GROUP; JESSICA HUANTE, individually; BAHRAT RAKSHAK, individually; LYNNE SIMMS, individually; DOES 1 through 15 inclusive.

## Defendants.

Case No. C-07-06332 RMW

**PROOF OF SERVICE OF NOTICE OF  
MOTION AND MOTION TO REMAND/  
MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT OF MOTION  
TO REMAND [Fed R. Civ. P. 1447(c)];  
DECLARATION OF MATTHEW  
MORBELLO IN SUPPORT OF MOTION  
TO REMAND; [PROPOSED] ORDER**

Hearing Date: March 7, 2008  
Hearing Time: 9:00 a.m.  
Courtroom: Ctrm. 6, 4th Floor  
Judge: Hon. Ronald M. Whyte  
Complaint Filed: September 28, 2007  
Trial Date: TBD

**PROOF OF SERVICE**  
**STATE OF CALIFORNIA, COUNTY OF ALAMEDA**

I declare that I am employed in the County of Alameda, State of California. I am over the age of eighteen (18) years and not a party to the within cause. My business address is 1404 Franklin Street, 5<sup>th</sup> Floor, Oakland, California 94612. On this day, I served the foregoing documents:

- (1) NOTICE OF MOTION AND MOTION TO REMAND; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO REMAND [Fed R. Civ. P. 1447(c)];
- (2) DECLARATION OF MATTHEW MORBELLO IN SUPPORT OF MOTION TO REMAND;
- (3) [PROPOSED] ORDER.

By Mail to the parties in said action, as addressed below, in accordance with Code of Civil Procedure §1013(a), by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At Beeson, Tayer & Bodine, mail placed in that designated area is given the correct amount of postage and is deposited that same day, in the ordinary course of business in a United States mailbox in the City of Sacramento, California:

Michael A. Dubin, Esq.  
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Jessica Huante  
750 Colton Drive  
Salinas, CA 93907

By Personal Delivering a true copy thereof, to the parties in said action, as addressed below in accordance with Code of Civil Procedure §1011.

By Overnight Delivery to the parties in said action, as addressed below, in accordance with Code of Civil Procedure §1013(c), by placing a true and correct copy thereof enclosed in a sealed envelope, with delivery fees prepaid or provided for, in a designated outgoing overnight mail. Mail placed in that designated area is picked up that same day, in the ordinary course of business for delivery the following day via United Parcel Service Overnight Delivery.

By Facsimile Transmission to the parties in said action, as addressed below, in accordance with Code of Civil Procedure §1013(e).

I declare under penalty of perjury that the foregoing is true and correct. Executed in Oakland, California, on this date, January 11, 2008.

/s/  
Tanya Gatt